

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
Case No. 5:10-cv-00357

GE COMMERCIAL DISTRIBUTION)
FINANCE CORPORATION,)
)
Plaintiff,)
)
v.)
)
COMMONWEALTH CONSTRUCTION)
AND DEVELOPMENT, LTD.)
and MARTINDALE HOMES, INC.)
)
)
Defendants.)

DEFAULT JUDGMENT

This matter is before the Court on Plaintiff GE Commercial Distribution Finance Corp.'s ("CDF") Motion for Default Judgment as against Defendants Commonwealth Construction and Development, Ltd. and Martindale Homes, Inc ("Defendants"). Defendants have failed to plead or otherwise defend this action and entry of default was entered against them on February 1, 2011. Having considered CDF's Motion and the memorandum and declarations submitted in support, this Court finds that CDF's right to possession of the Collateral, identified in the attached **Exhibit A**, is valid and enforceable and superior to any claim or interest held by the Defendants and grants CDF final and continuing possession.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that CDF's right to possession of the Collateral is valid and enforceable and superior to any claim or interest held by the Defendants.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that CDF is entitled to final and continuing possession of the Collateral.

This the 17th date of February, 2011.



United States District Court Judge

Exhibit A

<u>MFG #</u>	<u>MANUFACTURER</u>	<u>MODEL</u>	<u>BALANCE</u>
41853	CLAYTON HOMES INC	09 COLONY BA	69,278.00
41853	CLAYTON HOMES INC	09 COLONY BA	55,020.00
41857	COMMODORE CORPORATION	LYNBROOK CAP	90,929.00
41857	COMMODORE CORPORATION	09 RB550A	74,807.00
126530	HOLMES BUILDING SYSTEMS INC	HOLMES	83,495.40
126530	HOLMES BUILDING SYSTEMS INC	08 MOD 5609T	88,443.18
126530	HOLMES BUILDING SYSTEMS INC	08 MOD 1762	97,395.63
126530	HOLMES BUILDING SYSTEMS INC	09 MOD 5400T	64,697.14
DEALER TOTALS			624,065.35